

Application No.: 09/887,978

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Docket No.: 1780/1D144US2

REMARKS/ARGUMENTS

This is a response to the Office Action dated March 3, 2003. Reconsideration of the claims based on the remarks provided below is respectfully requested. Claims 24 to 30 have been canceled without prejudice and claims 22 and 23 have been amended.

Rejection under 35 U.S.C. § 102(b)

The Examiner rejected claim 22 under 35 U.S.C. §102(b) as being anticipated by Mazzocchi (WO 96/01591). Claim 22 is independent. Claim 22 as amended recites "a vascular filter guide wire being insertable and steerable through said vasculature to a position downstream of said lesion and being in contact with said vasculature during insertion." Therefore, claim 22 explicitly recites a guide wire which is insertable and steerable through a patient's vasculature and is in contact with the vasculature during insertion. Support for the amendment is found in claim 23 as originally filed which recited "a core wire having a proximal end and a distal end for insertion and steering through a patient's vasculature to a position downstream of said lesion." In contrast, Mazzocchi describes a guide wire with a collapsible filter which is positioned for treatment by passage through the lumen of an introductory catheter (Mazzocchi, page 39, lines 26-28) or a Balloon catheter (Mazzocchi, page 40, lines 8-10). While in the invention as claimed, the guide wire is insertable and steerable through the vasculature, the Mazzocchi guide wire is not maneuverable in that manner. Rather, the Mazzocchi guide wire is inserted and steered with the use of the catheter. In addition, there is no explicit or implicit teaching of the Mazzocchi guide wire being steered to a location as it exits the catheter's distal end. Rather, it exits the distal end of the catheter in order to deploy collapsible filter. Indeed, the Mazzocchi guide wire cannot be positioned for treatment independently because the interior walls of the catheter's lumens constrain the collapsible filter from automatically expanding. Accordingly, Mazzocchi does not teach explicitly or implicitly at least the above described element of claim 22. Applicants therefore respectfully request that the 102(b) rejection be withdrawn and claim 22 be passed to issue.

In addition, Mazzocchi teaches away from the claimed guide wire because Mazzocchi teaches a filter which requires insertion through a catheter in order to be positioned at the surgical

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CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

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Respectfully submitted,

By



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